

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

KASHIF ALLEYNE, DERRICK LOUIGARDE,
and DAMANI MCFARLINE

Plaintiffs,

-against-

CITY OF NEW YORK; P.O. WALIUR RAHMAN, Shield
No. 6428; DET. YIKA MORALES, Shield No. 5430; DET.
JAMES MCCULLOUGH, Shield No. 31112; DET.
LORNE KANOVER, Shield No. 1824; JOHN and JANE
DOE 1 through 10, individually and in their official
capacities,

Defendants.

**STIPULATION AND ORDER
OF WITHDRAWAL AND
VOLUNTARY DISMISSAL
OF CERTAIN CAUSES OF
ACTION**

15 CV 1860 (WFK)(VMS)

WHEREAS, plaintiffs commenced this action by filing a Complaint on or about April 6, 2015, in the Eastern District of New York alleging violations of their rights under Federal law pursuant to 42 U.S.C. § 1983; and

WHEREAS, plaintiffs have agreed to withdraw certain causes of action from their Amended Complaint;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for plaintiffs and the defendants, as follows:

1. Any and all claims for the alleged excessive force of plaintiffs Kashif Alleyne, Derrick Louigarde and Damani McFarlane brought pursuant to 42 U.S.C. § 1983, referred to throughout the Amended Complaint, brought against the City of New York, P.O. Waliur Rahman, Det. Yika Morales, Det. Natia Kalandadze, Det. James McCullough, and Det. Lorne Kanover, as well as any and all present or former employees of the City of New York, their successors or assigns and all past and present officials, employees, representatives and agents of

the City of New York are dismissed with prejudice, and without attorneys' fees or costs to any party, pursuant to Fed. R. Civ. P. 41(a).

2. Any and all claims for the alleged Municipal Liability brought pursuant 42 U.S.C. § 1983, referred to throughout the Amended Complaint, brought against the City of New York is dismissed with prejudice, and without attorneys' fees or costs to any party, pursuant to Fed. R. Civ. P. 41(a).

3. Plaintiffs agree to voluntarily dismiss this action, with prejudice, as against the City of New York, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii) and without any expenses, fees or costs to any party.

**Dated: New York, New York.
April 29, 2016**

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By: /s/
Robert Marinelli, Esq.

By: /s
Jenny Weng
Senior Counsel

SO ORDERED:

s/ WFK
~~_____~~
 Honorable William F. Kuntz, II
 United States District Judge